

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Commodigy OG Vegas LLC	:	CASE NO. 1:19-cv-01382
	:	
Plaintiff,	:	JUDGE PAMELA BARKER
	:	
v.	:	
	:	
ADM Labs, <i>et al.</i>	:	PLAINTIFF’S UNOPPOSED MOTION TO
	:	EXCEED THE PAGE LIMITATION BY
Defendants.	:	FIVE (5) PAGES IN ITS OPPOSITION TO
	:	DEFENDANTS’ MOTION TO DISMISS

Now comes the Plaintiff, by and through counsel, and pursuant to Local Rule 7.1(f), hereby moves this honorable court for permission to exceed the twenty (20) page limitation for its opposition memorandum to Defendants’ Motion to Dismiss by up to five (5) additional pages.

The grounds for this motion are that five (5) Defendants have filed a Motion to Dismiss on both Fed.R.Civ.P 12(b)(2) (personal jurisdiction) and 12(b)(6) (failure to state a claim) grounds. It took the Defendants the full twenty (20) pages to get their position communicated.

However, there are numerous facts that were not identified by these moving Defendants in their motion that are material to the outcome of both types of legal inquiry. Further, there are numerous variations in law that apply to the entity Defendants as compared to the individual Defendants.

While Plaintiff’s opposition brief is not quite finished, no matter how much counsel has tried to pare down the facts and the law, there is just no way to communicate all of the facts and law needed for a correct ruling on this motion practice within a twenty (20) page limitation. The requested five (5) additional pages is the minimum necessary to communicate the non-movant’s

position. Counsel assures the court that Plaintiff's memorandum will be as efficiently and economically communicated as possible.

Justice requires the requested extension of the briefing limitation for Plaintiff, as Defendants have the added briefing advantage of a reply memorandum to further set forth their positions in this case, while Plaintiff is capped at the twenty (20) page limitation.

Plaintiff's counsel did confer with defense counsel, and they will not be opposing this motion.

WHEREFORE, Plaintiff respectfully requests that this court permit it to exceed the twenty (20) page briefing limitation by up to five (5) additional pages.

Respectfully submitted,

/s/ Daniel F. Lindner

Daniel F. Lindner (0063918)
The Lindner Law Firm LLC
2077 East 4th Street, Second Floor
Cleveland, Ohio 44115
(216) 737-8888, (216) 737-9999 Fax
Daniel@Justuslawyers.com

Attorney for the Plaintiff

CERTIFICATE OF SERVICE

A copy of the foregoing Motion was served via the court's e-filing system upon all counsel on this 26th day of July, 2019.

Respectfully submitted,

/s/ Daniel F. Lindner

Counsel for the Plaintiff